

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JUNE 25, 2002**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 18, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Campbell moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting dated June 18, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. The County-City Volunteer of the Month Award was presented to Bill Dutton for his services with Parks and Recreation.**

**B. Appointment of Harlan King to the Veterans Services Committee - Gary Chalupa, Veterans Service Officer**

Gary Chalupa, Veterans Service Officer, explained that Mr. King meets all of the residency requirements and was recommended for reappointment by the Military Order of the Purple Hearts.

2) **SPECIAL PRESENTATIONS CONTINUED:**

**MOTION:** Hudkins moved and Stevens seconded approval of the reappointment of Harlan King to the Veterans Services Committee for a five year term. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**C. Lincoln-Lancaster County Breast Feeding Policy - Bonnie Coffey,  
Lincoln-Lancaster Women's Commission**

This item will be heard on Tuesday, July 2, 2002.

3) **CLAIMS FOR REVIEW:**

**A. Payment Voucher 805-0406, dated June 14, 2002 - Nebraska Health and Human Services has requested payment, totaling \$7,750, for acute intake/evaluation.**

Kerry Eagan, Chief Administrative Officer, explained the request was for costs associated with inpatient treatment in relation to psychiatric evaluations to determine competency for trial. He stated it is felt that it should be ordered by the District Court Judge and not billed directly to the County. Recommendation was for denial.

**MOTION:** Campbell moved and Stevens seconded denial of Payment Voucher 805-0406, dated June 14, 2002 from the Nebraska Health and Human Services requesting payment, totaling \$7,750, for acute intake/evaluation. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

4) **CLAIMS:** **Approval of all claims processed through Tuesday, June 25, 2002.**

**MOTION:** Heier moved and Campbell seconded approval of all claims processed through June 25, 2002. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

**A. A request to vacate a portion of a County road which is the north stub of Bobwhite Trail located within Elsner Lakeside Estates in Lancaster County, Nebraska.**

The Chair opened the public hearing and asked if anyone wished to speak in favor, opposition or in a neutral position to the request.

No one appeared.

David Johnson, Deputy County Attorney, stated the party requesting the vacation was notified of the public hearing by certified letter.

Offered and marked for the record was a memo from Larry Worrell, County Engineering Department, dated May 8, 2002 recommending denial of the request (Exhibit 1).

Also offered and marked for the record was a memorandum from Mike DeKalb, Planning Department, dated April 26, 2002 (Exhibit 2).

Stevens inquired about the process if the request is granted.

Johnson stated if the property were vacated it could be kept as County property, the land could revert to the adjacent landowners or it could be sold.

The Chair asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

The Chair noted that action would be taken regarding the request on Tuesday, July 2, 2002.

6) **OLD BUSINESS:**

**A. A managed care facility application to Mutual of Omaha Managed Care Programs for payment of services for patients at the Community Mental Health Center. (C-02-0266)**

David Johnson, Deputy County Attorney, requested that Page 2, which was not included in the documentation, be inserted into the application so that upon execution the document is complete.

6) **OLD BUSINESS CONTINUED:**

**MOTION:** Campbell moved and Hudkins seconded approval of a managed care facility application to Mutual of Omaha Managed Care Programs for payment of services for patients at the Community Mental Health Center, with the insertion of Page 2. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS:**

**A. An application for a Special Designated License from the Wine Merchants, Inc. to hold a wedding reception on Saturday, June 28, 2002 from 7 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street in Lancaster County, Nebraska.**

**MOTION:** Campbell moved and Heier seconded approval of an application for a Special Designated License from the Wine Merchants, Inc. to hold a wedding reception on June 28, 2002 from 7 p.m. to 1 a.m. at Country Pines, with the conditions as outlined in the Sheriff's recommendation. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

**B. An interlocal agreement with the City of Hickman for the provision of law enforcement services within the City limits. The County shall provide one deputy by assignment of the Sheriff and use of one vehicle for law enforcement services in the City. The term of the agreement is September 1, 2002 to August 31, 2003. The County will be paid \$50,058.97. (C-02-0268)**

**MOTION:** Hudkins moved and Stevens seconded approval of an interlocal agreement with the City of Hickman for law enforcement services within the City limits. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

**C. A settlement agreement with Christopher and Denise Huenink for County Court case number CI 02-1607. The County will pay an additional \$425 and the Huenink's will dismiss any actions against the County arising out of condemnation. (C-02-0269)**

David Johnson, Deputy County Attorney, explained that upon execution of the settlement agreement a copy of the agreement and a copy of the motion to dismiss would be sent to the Huenink's attorney. The motion to dismiss would then be filed.

7) **NEW BUSINESS CONTINUED:**

**MOTION:** Campbell moved and Heier seconded approval of a settlement agreement with Christopher and Denis Huenink for County Court case number CI 02-1607. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

**D. Referee agreements with the following to hear valuation protests and transmit information to the Lancaster County Board of Equalization. Services are for hearings for the 2002 tax year. (C-02-0271 through C-02-0273)**

<u>Name of Individual</u>	<u>Hourly Rate</u>
Mona Kubert	\$55 per hour
John R. Layman	\$75 per hour
Great Plains Appraisal, Inc.	\$25 to \$75 per hour

**MOTION:** Campbell moved and Heier seconded approval of referee agreements with Mona Kubert, John R. Layman and Great Plains Appraisal, Inc. to hear valuation protests and transmit information to the Lancaster County Board of Equalization. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

**E. An agreement with Healthy Families Project for the development of resource files for families with children with severe emotional disorders and to operate the Family Resource Center, beginning July 1, 2002 and ending June 30, 2003. The contractor will be paid \$22.15 per hour for up to 60 hours per week. (C-02-0278)**

This item was held at the request of Juvenile Mental Health.

**F. A health care staffing agreement and addendum with Intrepid America d/b/a Intrepid USA Healthcare Services to provide supplemental nursing personnel to work various shifts at Lancaster County Corrections, beginning May 1, 2002 and ending April 30, 2003. The County will pay \$20.75 to \$49.75 per hour plus time and a half for holidays. (C-02-0275)**

This item was held at the request of the County Attorney's Office.

7) **NEW BUSINESS CONTINUED:**

**G. An interlocal agreement with the Nebraska Department of Education for a child and adult care food program at the Community Mental Health Center. The program provides food services to individuals at the Adams Street Center who are income eligible. The requested budget is \$63,251. (C-02-0276)**

**MOTION:** Heier moved and Campbell seconded approval of an interlocal agreement with the Nebraska Department of Education for a child and adult care food program at the Community Mental Health. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

**H. An amendment to an agreement with the State of Nebraska Department of Health and Human Services for providing detention services to youth committed to or placed with the State. The amendment is to County contract C-01-336 and will extend the term from month to month until terminated or a new contract is entered into by the parties. (C-02-0277)**

**MOTION:** Hudkins moved and Campbell seconded approval of an amendment to an agreement with the State of Nebraska Department of Health and Human Services extending the term from month to month until terminated or a new contract is entered into by the parties. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**I. A third addendum to an agreement with the law firm of Orton, Thomas & O'Connell to pay \$360 for new violations over the maximum in juvenile cases. The original contract was entered into on October 21, 1999 under County contract C-99-2128. (C-02-0274)**

**MOTION:** Hudkins moved and Campbell seconded approval of a third addendum to an agreement with the law firm of Orton, Thomas & O'Connell to pay \$360 for new violations over the maximum in juvenile cases. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- J. Release of collateral for a loan made to Michelle Criswell for a Rural Enterprise Assistance Program (REAP) loan and authorization to file an amended Uniform Commercial Code (U.C.C.) filing. The collateral is a 1990 Ford Festiva. The remaining unpaid balance is \$365.12. (C-02-0270)**

Offered and marked for the record was a memo from Troy Gagner, Urban Development Department, including a copy of the Uniform Commercial Code (U.C.C.) financing statement amendment removing the 1990 Ford Festiva as collateral (Exhibit 3).

**MOTION:** Campbell moved and Stevens seconded approval of the release of collateral for a loan made to Michelle Criswell for a Rural Enterprise Assistance Program (REAP) loan and authorization to file an amended Uniform Commercial Code filing. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

- K. Placement on file with the County Clerk's Office of an Administrative Amendment No. 02029 to County Special Permit 142 to adjust the arrangement of Lots 2, 3 and 4.**

**MOTION:** Campbell moved and Hudkins seconded approval to place on file an Administrative Amendment Number 02029 to County Special Permit 142 adjusting the arrangement of Lots 2, 3 and 4.

In response to a question asked by Stevens, Mike DeKalb, Planning Department, explained that the amendment was in relation to a lot line adjustment.

**ROLL CALL:** Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- L. A resolution transferring \$950 from the General Fund Miscellaneous Budget to the Indigent Defense Screener Budget. (R-02-0067)**

**MOTION:** Campbell moved and Heier seconded approval of Resolution 02-0067 transferring \$950 from the General Fund Miscellaneous Budget to the Indigent Defense Screener Budget. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

**M. Recommendation from the Purchasing Agent and the Community Mental Health Center to award a Request for Proposal (RFP) and to enter into contract negotiations with NCS, Inc. for collection services for past due accounts. (B-02-0028)**

**MOTION:** Campbell moved and Heier seconded approval of the recommendation from the Purchasing Agent and the Community Mental Health Center to award an RFP and enter into contract negotiations with NCS, Inc. for collection services for past due accounts. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

**N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Peautry L. Green for lost clothing, in the total amount of \$120.**

**MOTION:** Heier moved and Campbell seconded to accept the Director's recommendations and deny the tort claim filed against the Lancaster County Corrections Department by Peautry L. Green for lost clothing, in the total amount of \$120. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

**O. A resolution transferring \$16,500 from the General Fund Miscellaneous Budget to the County Assessor's Budget. (R-02-0068)**

**MOTION:** Heier moved and Stevens seconded approval of Resolution 02-0068 transferring \$16,500 from the General Fund Miscellaneous Budget to the County Assessor's Budget. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

**1. Sheriff's Report of Fees for May, 2002.**

8) CONSENT ITEMS CONTINUED:

B. Setting of a public hearing for Tuesday, July 23, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the inclusion of territory located within the incorporated limits of the Village of Raymond within the boundaries of the Raymond Rural Fire Protection District, as permitted by Neb. Rev. Stat., §§ 35-530 to 35-536 as amended. (A map showing the corporate boundaries of the Village of Raymond is on file in the County Clerk's Office.)

**MOTION:** Hudkins moved and Campbell seconded approval of the Consent Items. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

9) ADJOURNMENT:

**MOTION:** At 2:12 p.m. Campbell moved and Heier seconded adjournment of the Board of Commissioners meeting. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JUNE 25, 2002  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 2:12 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 18, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated June 18, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 5 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Campbell moved and Stevens seconded approval of 5 additions and deductions to the tax assessment rolls. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS FOR THE FOLLOWING:**

**Pius X High School  
Tabitha Inc.**

**MOTION:** Campbell moved and Heier seconded approval of the motor tax exemptions. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

4) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

**Setting of a public hearing for Tuesday, July 9, 2002 immediately following the regular Board of Commissioners meeting in Room 112 on the first floor of the County-City Building regarding a notice of valuation change for omitted or undervalued property for D & R Development.**

**MOTION:** Campbell moved and Stevens seconded approval to set a public hearing for July 9, 2002 immediately following the regular Board of Commissioners meeting in Room 112 on the first floor of the County-City Building regarding a notice of valuation change for omitted or undervalued property for D & R Development. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** At 2:15 p.m. Campbell moved and Stevens seconded adjournment of the Board of Equalization meeting. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk